

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN RE: ASBESTOS LITIGATION

GEORGE MURPHY SR., as personal)	
Representative of the Estate of Mary)	
Murphy, and GEORGE MURPHY SR.,)	
individually,)	
)	
Plaintiff,)	C.A. No. N13C-11-322 ASB
)	
v.)	
)	
PNEUMO ABEX, et al.,)	
)	
Defendants.)	

Decided: November 8, 2017

ORDER

Upon Defendant Pneumo Abex's
*Motion for Summary Judgment. **GRANTED.***

Plaintiff, George Murphy Sr., (“Plaintiff”) cannot satisfy the summary judgment criteria.¹ Plaintiff filed suit against numerous Defendants claiming that his wife, Mary Murphy (“Ms. Murphy”) contracted lung cancer from asbestos incorporated in Defendant Pneumo Abex’s (“Abex”) product. Plaintiff contends that Ms. Murphy was secondarily exposed to asbestos from washing Plaintiff’s dusty clothes and assisting Plaintiff while he was performing brake jobs. Summary

¹ Super. Ct. Civ. R. 56; *Smith v. Advanced Auto Parts, Inc.*, 2013 WL 6920864, at *3 (Del. Super. Dec. 30, 2013); *see Moore v. Sizemore*, 405 A.2d 679, 680 (Del. 1979); *Nutt v. A.C. & S., Inc.*, 517 A.2d 690, 692 (Del. Super. Ct. 1986); *In re Asbestos Litigation (Helm)*, 2012 WL 3264925 (Del. Aug. 13, 2012).

judgement is appropriate in this matter because there is no evidence of decedent, Mary Murphy's, specific exposure to Abex's product. Accordingly, Abex's Motion for Summary Judgment is hereby **GRANTED**.

IT IS SO ORDERED.

/s/ Calvin L. Scott

The Honorable Calvin L. Scott, Jr.